

AMENDED IN SENATE JUNE 17, 2014

AMENDED IN ASSEMBLY MARCH 17, 2014

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 2021

Introduced by Assembly Member Gordon

February 20, 2014

An act to amend Section 103396 of the Public Utilities Code, relating to transportation.

LEGISLATIVE COUNSEL'S DIGEST

AB 2021, as amended, Gordon. San Mateo County Transit District. Existing law creates the San Mateo County Transit District with various powers and duties relative to transportation projects and services in the County of San Mateo. Existing law authorizes the district to utilize the Construction Manager/General Contractor project delivery contract method for transit projects within its jurisdiction, subject to certain conditions and requirements. Existing law requires the district to comply with certain prevailing wage requirements with respect to that contract method, which requirements are monitored and enforced by the Department of Industrial Relations, or alternatively to elect to enter into a collective bargaining agreement that binds all of the contractors performing work on the project and that includes a mechanism for resolving disputes about the payment of wages.

This bill would additionally authorize the district to meet its obligations under this provision by continuing to operate an existing previously approved labor compliance program, ~~subject to if it has not contracted with a 3rd party to conduct its labor compliance program~~

and requests and receives approval of from the Department of Industrial Relations, as specified to continue the existing program.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 103396 of the Public Utilities Code is
2 amended to read:
3 103396. (a) Except as specified in subdivision (b), the district
4 shall comply with subdivision (f) of Section 1771.5 of the Labor
5 Code and shall reimburse the Department of Industrial Relations
6 for its reasonable and directly related costs of performing prevailing
7 wage monitoring and enforcement on public works projects
8 pursuant to rates established by the department as set forth in
9 subdivision (h) of Section 1771.5 of the Labor Code on projects
10 using the CMGC project delivery method under this article. All
11 moneys collected pursuant to this subdivision shall be deposited
12 in the State Public Works Enforcement Fund, created by Section
13 1771.3 of the Labor Code, and shall be used only for enforcement
14 of prevailing wage requirements on those projects.
15 (b) In lieu of complying with subdivision (a), the district may
16 either (1) elect to continue operating an existing previously
17 approved labor compliance program to monitor and enforce
18 prevailing wage requirements on the project if it *has not contracted*
19 *with a third party to conduct its labor compliance program and*
20 requests and receives approval from the Department of Industrial
21 Relations to continue the existing program or (2) enter into a
22 collective bargaining agreement that binds all of the contractors
23 performing work on the project and that includes a mechanism for
24 resolving disputes about the payment of wages.